
From: Bausch, Carl (FTA)
To: Zelasko, Elizabeth (FTA)
Sent: 6/2/2010 6:23:34 AM
Subject: RE: Revised Letters

I would let the commenter request the City's information through whatever FOIA process the City or State may have, Liz (in my view, we should not force that disclosure on the City). Regarding the Chinatown issue, surely the consultant could have supplied some information regarding effects in other cities. CEQ's 40-Questions guidance for a similar situation (see below) would endorse such an approach. Carl

18. Uncertainties About Indirect Effects of A Proposal. How should uncertainties about indirect effects of a proposal be addressed, for example, in cases of disposal of federal lands, when the identity or plans of future landowners is unknown?

A. The EIS must identify all the indirect effects that are known, and make a good faith effort to explain the effects that are not known but are "reasonably foreseeable." Section 1508.8(b). In the example, if there is total uncertainty about the identity of future land owners or the nature of future land uses, then of course, the agency is not required to engage in speculation or contemplation about their future plans. But, in the ordinary course of business, people do make judgments based upon reasonably foreseeable occurrences. It will often be possible to consider the likely purchasers and the development trends in that area or similar areas in recent years; or the likelihood that the land will be used for an energy project, shopping center, subdivision, farm or factory. The agency has the responsibility to make an informed judgment, and to estimate future impacts on that basis, especially if trends are ascertainable or potential purchasers have made themselves known. The agency cannot ignore these uncertain, but probable, effects of its decisions.

From: Zelasko, Elizabeth (FTA)
Sent: Wednesday, June 02, 2010 12:08 PM
To: Grasty, Katie (FTA); VanWyk, Christopher (FTA); Zusman, Nancy-Ellen (FTA); Marler, Renee (FTA); Bausch, Carl (FTA); Sukys, Raymond (FTA)
Subject: RE: Revised Letters

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From: Grasty, Katie (FTA)
Sent: Tuesday, June 01, 2010 5:11 PM

To: Zelasko, Elizabeth (FTA)
Cc: VanWyk, Christopher (FTA)
Subject: Revised Letters

Hi Liz,

Here are three letters I reviewed and one of Megan's. The 2-4 Char 336966 letter is okay, but the other three need additional information. Also, please have TCC review comment responses 47,48, and 52 for the Life of the Land Response Letter.

Thanks!

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